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10
11 IN THE UNITED STATES DISTRICT COURT
12 FOR THE NORTHERN DISTRICT OF CALIFORNIA

13
14 UNITED STATES OF AMERICA,) No. CR-07-00635 SBA
15)
Plaintiff,) STIPULATION AND ORDER
16 vs.) REGARDING SETTING DATE FOR
17) SENTENCING
ALLEN RANDLE,)
18 Defendant.)
19 _____)

20 IT IS HEREBY STIPULATED between the plaintiff through its attorney, Joshua Hill,
21 and the defendant through his attorney, Joyce Leavitt, that the sentencing date for the above
22 referenced matter shall be set for June 2, 2009 at 10:00 a.m. The defendant is not in custody.

23 The parties last appeared before United States District Judge Martin Jenkins on
24 November 15, 2007 for change of plea. At that time, Judge Jenkins scheduled the sentencing
25 hearing for March 6, 2008. Thereafter, Judge Jenkins announced his departure from the district
26 court. The case was transferred to the Honorable Sandra B. Armstrong on April 7, 2008. The

parties have not appeared before this Court since the case was transferred.

In the interim, the defendant suffered a stroke. As a result of the stroke, the defendant was unable to communicate. He was, therefore, unable to participate in an interview with the United States Probation Office for purposes of preparing the presentence report ("PSR"). The defendant has not waived the preparation of PSR prior to sentencing. The United States Probation Officer assigned to this matter has indicated she is not available to interview the defendant until the first week of March 2009, at the earliest. To have adequate time to prepare the PSR, the Probation Officer requested a sentencing date in early June 2009.

IT IS SO STIPULATED:

Dated: February 11, 2009

/s/ Joyce Leavitt
JOYCE LEAVITT
Attorney for Defendant

Dated: February 11, 2009

/s/ Joshua Hill
JOSHUA HILL
Assistant United States Attorney

ORDER

GOOD CAUSE HAVING BEEN SHOWN, it is hereby ordered that the sentencing date for the above referenced matter shall be set for June 2, 2009 at 10:00 a.m.

Dated: February 17, 2009

Saundra B. Armstrong
HONORABLE SAUNDRA B. ARMSTRONG
United States District Court Judge